

EXHIBIT “A”

Budin, Reisman, Kupferberg & Bernstein, LLP

MARVIN REISMAN
JAY BUDIN
HARLAN S. BUDIN
ALICE KUPFERBERG
ADAM S. BERNSTEIN
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ROBERT L. BUDIN (1953-1982)
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112 MADISON AVENUE
NEW YORK, N.Y. 10016-7416

GERARD A. CONNOLLY, JR.
RALPH GAVIN BELL
CHRISTINA M. RIEKER^o
^oAdmitted in NY and NJ

December 14, 2007

JANICE COOK
ADMINISTRATOR

Law Offices of Patrick J. Maloney
90 Broad Street, Suite 2202
New York, NY 10004
Attention: Mark Solomon, Esq.

RE: Jalloh v. Wendel
Our File No.: Y8236

RECEIVED
DIRECT
rec'd 1/4/08 by MAS

Dear Mr. Solomon:

In response to your November 29, 2007 Objections to Disclosure received in this matter, please accept the following:

Enclosed please find authorizations for the following medical providers, without date limitations:

- ☐ New Hyde Park Imaging, P.C. d/b/a U.S. Diagnostic
- ☐ Allen Rothpearl, M.D.
- ☐ Med Care Health & Rehabilitation Services, P.C.
- ☐ Jonathan Kogen, Ph.D.
- ☐ Maria Vasquez, CSW
- ☐ Employment Records

Additionally, please be advised that the plaintiff will rely upon expert testimony from his treating physicians only. These are Psychiatrist Dina Nelson, M.D. and radiologist Allen Greenfield, M.D., both of whom have reports contained within the records previously provided. We will forward their backgrounds/qualifications under separate cover.

Additionally enclosed, please find photocopies of photographs depicting the damage to Mr. Jalloh's vehicle. The plaintiff will rely upon these photographs at the trial of this matter.

Additionally, in response to your objections concerning the itemization of injuries, please be advised that the plaintiff's claims for damages are made upon the following injuries, complications and sequelae (all reflected within his medical records), alleged in these proceedings to have been caused, precipitated, contributed to and/or aggravated by the defendant's negligence:

- Central disc herniations at levels C3-C4 and C5-C6, deforming the dural sac with the

BUDIN, REISMAN, KUPFERBERG & BERNSTEIN, LLP

Law Offices of Patrick J. Maloney
Page two.

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RE: Jalloh v. Wendel

latter nearly in contact with the cervical cord;

-Bulging disc at level C4-C5 with flattening of the dural sac;

-Bulging discs at level L4-L5 with flattening of the dural sac and right greater than left foraminal encroachment;

-Bulging disc at level L5-S1 with flattening of the epidural fat;

-Cervical myofascial pain syndrome;

-Straightening of the cervical lordosis;

-Sprain and strain of the cervical, lumbosacral and thoracic spine; and

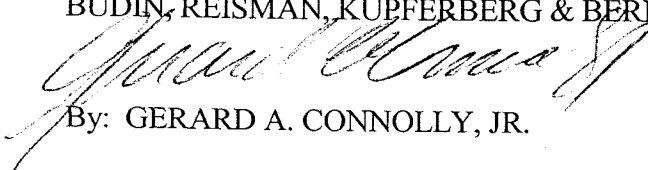
-Decreased range of motion of the cervical and lumbar spine .

It is claimed by reason of the herniation of C3-C4 and C5-C6, and the concomitant injuries to the cervical spine, with the stretching and tearing of the ligaments and musculature constituting the supportive structures thereof, and the entrapment of the cervical nerve roots in the scar tissue formed and internal pressures caused by these injuries, plaintiff suffered and continues to suffer from pain, spasm, restriction and limitation of motion of the head and neck and that as a result of the injuries at the C4-C5, L4-L5 and L5-S1 discs, the plaintiff was caused and continues to suffer from pain, restriction and limitation of motion of the neck, back and trunk, with pain radiating bilaterally into the buttocks and thighs, intermittent claudication with cramping of the calf muscles , difficulty in bending, stooping, standing and stair climbing. Said damage claims are made upon the allegation that the aforesaid injuries are of a chronic and protracted nature and have resulted in permanent residuals. These injuries and the resulting efforts to secure and undergo medical aid and attention in an effort to cure and alleviate the symptomatology and the impairment and loss of function have resulted in, in addition to pain and suffering and loss of enjoyment of life, a diminution of his economic and social capacity.

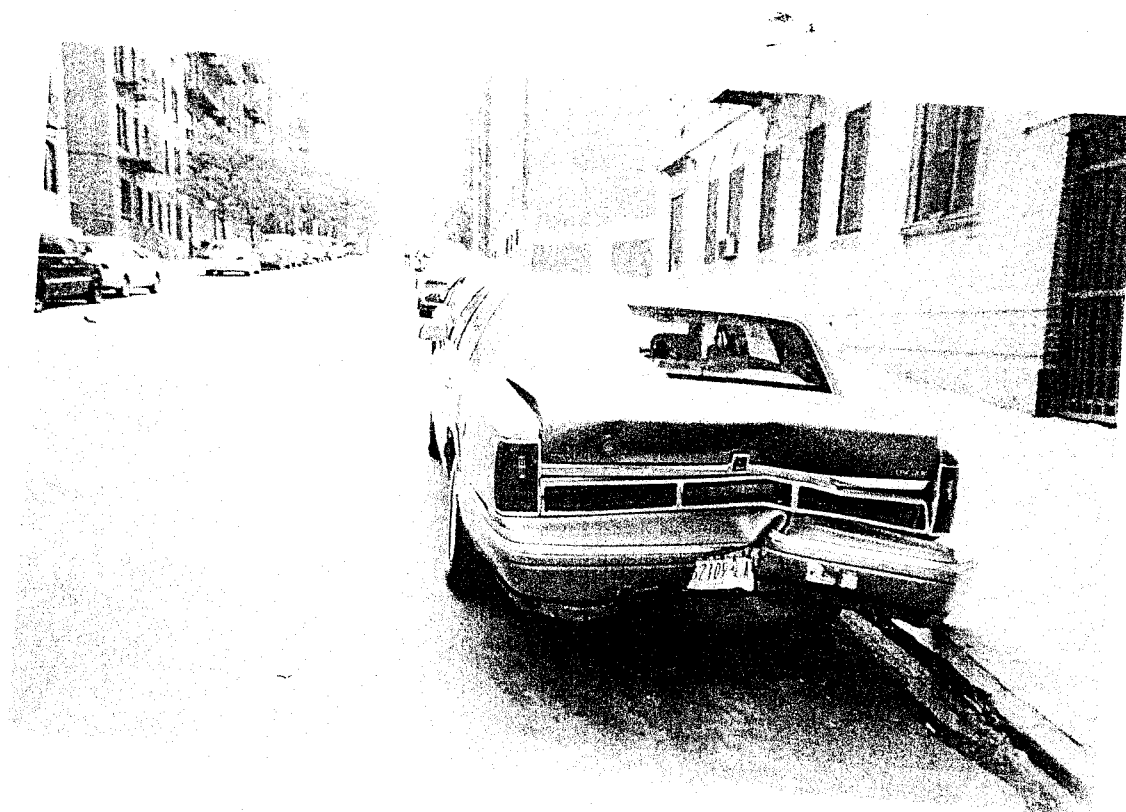
I trust these materials satisfy your objections to the disclosure previously exchanged in this matter.

Very truly yours,

BUDIN, REISMAN, KUPFERBERG & BERNSTEIN, LLP


By: GERARD A. CONNOLLY, JR.

GAC/lmc



Dina S. Nelson, M.D.

146 Alexander Avenue
Hartsdale, New York 10530
914 907-5846
718 519-4083

Education

1987 - 1991	M.D. - Albert Einstein College of Medicine
1985 - 1987	Post-Baccalaureate Premedical Studies City College of the City University of New York
1980 -1985	B.A. Cum Laude - Barnard College of Columbia University

Training

1992 - 1995	Albert Einstein College of Medicine/Montefiore Medical Center Resident- Physical Medicine and Rehabilitation
1991 - 1992	Bronx Municipal Hospital Center Intern - Internal Medicine

Experience

1995 - 2005	Beth Abraham Health Services Center for Physical Medicine and Rehabilitation - Bronx, New York Attending Physiatrist Consultations, evaluations, wheelchair and prosthetic & orthotic clinics, resident and medical student supervision and teaching
1999 - Present	Office based PM&R practice specializing in treatment of traumatic musculoskeletal and neurological injuries and electrodiagnostic studies
2001 - 2005	Cerebral Palsy Associations of New York State Physiatrist - out-patient physiatry clinic

**Academic
Appointment**

Assistant Professor of Physical Medicine & Rehabilitation
Albert Einstein College of Medicine of Yeshiva University

Certification

Board Certified - American Board of Physical Medicine & Rehabilitation
Workers' Compensation Board Rated

License

New York State

Alan B. Greenfield, MD
181 Candlewood Path
Dix Hills, NY 11746
(516)493-0095

Primary Specialty: Diagnostic Radiology

Personal Information:

Date of Birth	August 13, 1960
Gender	Male
Marital Status	Married
Spouse's Name	Lori
Spouse's Occupation	Teacher/Homemaker
Children	Elana (11-2-90), Jamie (1-10-94)

Board Certification: American Board of Radiology, 1993

Licensure: New York State License No. 176673 (10/88)
Federal Licensing Examination

Education:

Residency (July 1988 - June 1992)	Diagnostic Radiology University Hospital, State University of New York at Stonybrook, NY
---	--

Internship (July 1987 - June 1988)	Internal Medicine University Hospital, State University of New York at Stony Brook, Stony Brook, NY
--	---

Medical School (Sept. 1983 - June 1987)	Sackler School of Medicine New York State Program Tel Aviv University, Tel Aviv, Israel Degree: Doctor of Medicine (MD)
---	--

College (Sept. 1978 - June 1982)	Muhlenberg College Allentown, PA Degree: Bachelor of Science (Cum Laude) Natural Sciences with Double Major in Psychology
--	--

Alan B. Greenfield, MD
181 Candlewood Path
Dix Hills, NY 11746
(516)493-0095

1978 - 1982	Deans List, Muhlenberg College Psi Chi - Psychology Honor Society
1978	First Prize Winner, Annual Student Contest, American Heart Association
1978	Scholarship Awarded for Exemplary Achievement and Performance, St Francis Hospital, Roslyn, NY

Health Care Related Activities

1987 - 1993	Basic Life Support and Advanced Cardiac Life Support Certification, University Hospital, State University of New York at Stony Brook, Stony Brook, NY
1978 - 1985	Cardiopulmonary Resuscitation and Basic Life Support Instructor, American Red Cross, American Heart Association, St. Francis Hospital, Roslyn, NY
1979 - 1982	Emergency Medical Attendant, Cetronia Ambulance Corps Allentown, PA
1979 - 1981	Disaster Team Manager, American Red Cross
1979 - 1989	Baum Corporation and Weezie Foundation Summer Fellow, Human Resources School, Albertson, NY

Interests: Tennis, Swimming

References: Available upon request

Alan B. Greenfield, MD
181 Candlewood Path
Dix Hills, NY 11746
(516)493-0095

1988 - 1992

Assistant Clinical Instructor of Radiology
University Hospital at Stonybrook
Stonybrook, N.Y.

Professional Societies:

New York State Medical Society
Suffolk County Academy of Medicine
Radiological Society of North America
Long Island Radiological Society

Honors, Awards & Scholarships:

1997

Guest Speaker- American Association for Medical
Transcription-1997 Annual Symposium, Topic:
Color Doppler Sonography.

1996

Guest Speaker- American Association for Medical
Transcription 1996 Annual Symposium, Topic:
Spiral CT Scanning.

1995

Guest Speaker - American Association for
Medical Transcription 1995 Annual Symposium,
Topic: "*Stereotactic Breast Biopsy - The Cutting
Edge*"

1979 - 1980

Biomedical Research Training Program,
Department of Pediatric Cardiology,
Long Island Jewish Medical Center,
New Hyde Park, NY

Participated in a series of experiments to determine
maturation patterns of the autonomic nervous
system in neonatal Piglets. Particular attention was
paid to the cardiovascular response to various
catecholamine infusions. Statistically significant
differences in autonomic response were noted
between different age groups

Alan B. Greenfield, M.D.
181 Candlewood Path
Dix Hills, N.Y. 11746
(516) 493-0095

1995-Present	Diagnostic Imaging Consultant Lancer Insurance Co., Plainview, NY
1995- Present	Diagnostic Imaging Consultant Grappell and Walker, MD PC, Plainview, NY
1995 - 1997	Attending Radiologist-Sea Shore Radiology PC at St. Johns Episcopal Hospital, Far Rockaway, NY and Five Towns MRI in Hewlett, NY
1993- 1995	Attending Radiologist, Brunswick Hospital Center, Amityville, NY
1992- 1993	Diagnostic Radiologist, Long Island Medical Imaging, PC, West Islip, NY

Appointments:

1995 -1997	Radiation Safety Officer, Amityville Heart Center, Amityville, NY
1993 - 1995	Director of Mammography, Brunswick Hospital Center, Amityville, NY
1994 - 1995	Director of Radiation Safety, Brunswick Hospital Center, Amityville, NY

Alan B. Greenfield, MD
181 Candlewood Path
Dix Hills, NY 11746
(516)493-0095

Participant

August 1996	New York University Hospital/ Visiting Mini-Fellowship in Musculoskeletal and Neuro-MRI
June 1995	Memorial Sloan Kettering Cancer Center Training Course for Interventional Breast Technique
Jan. 1992 - Feb. 1992	Armed Forces Institute Of Pathology, Walter Reed Army Medical Center, Washington DC

Employment:

1999-Present	Director of Medical Imaging Gurwin Jewish Geriatric Center Commack, New York
1998-Present	Medical Director Greenfield and James, MD, LLP DBA Rockaway Open MRI and Diagnostic Imaging Rockaway Beach, NY
1998-Present	Diagnostic Imaging Consultant Rapid Portable X-Ray
1998-Present	Diagnostic Imaging Consultant ProHealth Lake Success, NY

EXHIBIT “B”

Budin, Reisman, Kupperberg & Bernstein, LLP

MARVIN REISMAN
JAY BUDIN
HARLAN S. BUDIN
ALICE KUPFERBERG
ADAM S. BERNSTEIN
PAUL D. BUDIN *
ROBERT L. BUDIN (1953-1982)
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GERARD A. CONNOLLY, JR.
RALPH GAVIN BELL
CHRISTINA M. RIEKER
*Admitted in NY and NJ

IANICE COOK
ADMINISTRATOR

June 4, 2008

Law Offices of Harvey & Vandamme
90 Broad Street, Suite 2202
New York, NY 10004
Attention: Mark A. Solomon, Esq.

Re: Jalioh v. Wendel
Our File: Y8236

Dear Mr. Solomon:

Please allow this to confirm that the trial of this action is scheduled for August 11, 2008. Plaintiff intends to produce Dr. Mark McMahon to testify.

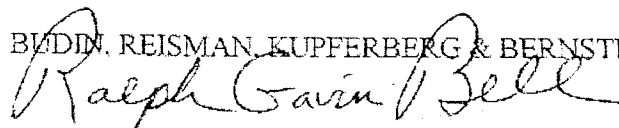
Plaintiff intends to offer the following into evidence:

1. Photographs of plaintiff's vehicle that reflect the damage caused by the accident in issue, exchanged on December 14, 2007;
2. Photographs of defendant's vehicle exchanged by defense counsel;
3. MRI films and reports by Alan Greenfield, M.D. of U.S. Diagnostics of the cervical spine taken on 8/16/2006 and of the lumbar spine taken on 9/6/2006;
4. Records of Dina Nelson, M.D., of Med Care Health & Rehabilitation, P.C., from August 10, 2006 through December 7, 2006.

Please advise what evidence, if any, you intend to offer at trial so we can discuss stipulations and/or motions in limine. Please be reminded that motions in limine are due July 28, 2008.

Very truly yours,

BUDIN, REISMAN, KUPFERBERG & BERNSTEIN, LLP



RALPH GAVIN BELL

RGB/duk

EXHIBIT “C”

RECEIVED
5/2/08

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
ABOUBACAR JALLOH,

Plaintiff,

-against-

THOMAS P. WENDEL,

Defendant.
-----X

**PLAINTIFF'S EXPERT
EXCHANGE PURSUANT
TO E.R.C.P. 26(a)(2)**

Index No.: 07 Civ. 4091/(NRB)

COUNSELORS:

Pursuant to Rule 26(a) (2) of the Federal Rules of Civil Procedure, please be advised that the plaintiff, ABOUBACAR JALLOH, hereby exchanges the following information regarding MARK S. MCMAHON, M.D., an expert witness whom the plaintiff intends to call at the time of trial to testify regarding the medical condition of any injuries sustained by the plaintiff, ABOUBACAR JALLOH.

MEDICAL TESTIMONY

The plaintiff identifies as an examining doctor, MARK S. MCMAHON, M.D., an orthopedist, who is an orthopedist with an office located at 875 Park Avenue, New York, New York 10021, and is affiliated with Lenox Hill Hospital located in New York, New York. Dr. McMahon is Board Certified in Orthopedic Surgery in the State of New York, and is a member of the American Academy of Orthopedic Surgeons. The subject matter, the facts, and the opinions which Dr. McMahon is expected to testify to, if called at trial, are those contained in his medical report dated May 14, 2008, a copy of which is annexed hereto.

A copy of Dr. McMahon's Curriculum Vitae is also annexed hereto, which sets forth in detail his qualifications. He has not published any articles since 1994. The compensation to be paid for a medical examination and his report is \$750.00. If Dr. McMahon is called upon to testify at trial, his customary testimony fee is \$4,000.00 for a half a day appearance.

Dr. McMahon will testify as to the nature and the extent of plaintiff's injuries occasioned by the accident which is the subject matter of this dispute, the diagnosis of said injuries, based upon his

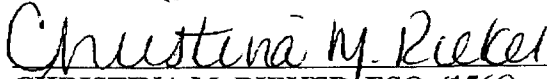
May 14, 2008 orthopedic evaluation of the plaintiff.

PLEASE BE ADVISED that Dr. McMahon is expected to testify that the examination of the plaintiff revealed that plaintiff's prognosis is poor and that the injuries are permanent; that plaintiff's injuries interfere with his quality of life and daily living; that plaintiff is unable to work as a taxi driver because of the injuries; and that the plaintiff requires a multilevel cervical discectomy and fusion using instrumentation and bone graft; and that plaintiff would benefit from the L4-S1 decompression and fusion using instrumentation and bone graft.

Plaintiff reserves his right to supplement this response prior to the trial.

Dated: New York, New York
May 27, 2008

Yours etc.,



CHRISTINA M. RIEKER, ESQ. (1566)

BUDIN, REISMAN, KUPFERBERG & BERNSTEIN, LLP

Attorneys for Plaintiff

Office & PO Address

112 Madison Avenue

New York, New York 10016

(212) 696-5500

Our File No.: Y8236;duk

TO:
Law Offices of Harvey & Vandamme
Attorneys for Defendant
THOMAS P. WENDEL
90 Broad Street
Suite 2202
New York, NY 10004
(646) 428-2650
File NO.: 2007-100069

Mark S. McMahon, M.D.

876 Park Avenue
New York, New York 10021
Phone: (212) 717-1405
Fax: (212) 396-3277

May 14, 2008

Budin, Reisman, Kupferberg and Bernstein
401 Broadway, Suite 1412
New York, New York 10013

RE: Aboubacar Jalloh

Att: Mable Garcia

On August 6, 2006 the patient was in a motor vehicle accident in which his car was stationary at a red light and he was rear-ended. His head, neck and back were injured. On August 10, 2006 he saw Dr. Nelson, who started him on physical therapy. He saw Dr. Nelson in follow-up on September 21, 2006 and November 2, 2006. Dr. Nelson performed an EMG of his lower extremities which was negative on October 4, 2006. The patient went to physical therapy from August 15, 2006 until November 8, 2006. On September 5, 2006 the patient was seen by a psychologist, Dr. Kogan. He was seen in follow-up on September 6, 2006, September 19, 2006, September 20, 2006, September 26, 2006, October 3, 2006, October 24, 2006, November 7, 2006, and November 15, 2006. He was out of work as a taxi driver for 3 months after the accident.

On August 9, 2006 he had an x-ray of his cervical spine which showed muscular spasm. On August 9, 2006 he had an x-ray of his lumbar spine which showed mild degenerative changes. On August 16, 2006 he had an MRI of his cervical spine which showed disc herniations at C3-4 and C5-6 deforming the dural sac. In addition, it showed a bulging disc at C4-5 with flattening of the dural sac. On August 21, 2006 the patient had an x-ray of his thoracic spine which showed mild dextro-scoliosis. On September 6, 2006 the patient had an MRI of his lumbar spine which showed a bulging disc at L4-5 with flattening of the dural sac and bilateral foraminal encroachment. It also showed an L5-S1 disc bulge with flattening of the epidural fat.

Currently, the patient is unable to work due to his neck and back problems. He has pain radiating down both legs. His legs feel weak. His neck and back are worse with

Mark S. McMahon, M.D.

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Phone: (212) 717-1405
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May 14, 2008

RE: Aboubacar Jalloh

bending and lifting. He wakes up at night with pain in his neck and back. Weather changes make his condition worse. He has worsening pain with prolonged sitting, standing, and walking.

PAST MEDICAL HISTORY:

Negative.

MEDICATIONS:

Tylenol.

PHYSICAL EXAMINATION:

On physical examination of the cervical spine: he can flex to 2 degrees with pain (nl 60). He can extend to 0 degrees with pain (nl 50). He can bend to the left and right 0 degrees with pain (nl 40). Sensation is intact in his upper extremities. He is tender to palpation in the paracervical musculature.

On physical examination of his lumbar spine: he can flex to 2 degrees with pain (nl 90). He can extend to 0 degree with pain (nl 30). He can bend to the right 0 degrees with pain (nl 20). He can bend to the left 0 degrees with pain (nl 20). He has decreased sensation to light touch in his left lower extremity. His EHL strength is 3+/5 bilaterally. He has a positive straight leg raising sign bilaterally.

DIAGNOSIS:

1. Cervical disc herniations at C3-4 and C5-6 deforming the dural sac. Bulging disc at C4-5 with flattening of the dural sac.
2. Lumbar spine bulging disc at L4-5 with flattening of the dural sac with bilateral foraminal encroachment. L5-S1 bulging disc with flattening of the epidural fat.

Mark S. McMahon, M.D.

*876 Park Avenue
New York, New York 10021
Phone: (212) 717-1405
Fax: (212) 396-3277*

May 14, 2008
RE: Aboubacar Jalloh

CAUSATION:

The above diagnoses occurred as a result of the accident of August 6, 2006.

PROGNOSIS:

The patient's prognosis is poor. His condition is permanent. He is now 1 ¼ years from the time of the accident. His condition interferes with his quality of life and his activities of daily living. He is unable to work as a taxi driver because of his injuries. The patient requires a multilevel cervical discectomy and fusion using instrumentation and bone graft. In addition, he requires an L4-S1 decompression and fusion using instrumentation and bone graft.

I, the undersigned, am a physician authorized by law to practice medicine in the State of New York, and I am not a party to this proceeding. I have reviewed the medical records pertaining to this patient and have provided a report that summarizes my evaluation. The statements in the report are true and accurate under penalty of perjury.

Mark S. McMahon, M.D.

Mark S. McMahon, M.D.

Mark S. McMahon, M.D.
876 Park Avenue
New York, New York 10021

Date of Birth - March 2, 1961
Citizenship: U.S.A.
(212) 717-1405

CURRICULUM VITAE

Education:

Harvard Medical School-M.D., 1986, Knox Fellowship for study in the United Kingdom; Medical Student Research Seminar - 1983, 1984.

London School of Economics-M.S. in Economics/Political Science, 1985

Oxford University-Liberal Arts, summer 1981

Georgetown University-B.S. Biology, 1981, Phi Beta Kappa; summa cum laude; Biology Medal; Sigma Xi Scientific Research Honor Society; Bachelor of Science Valedictorian

Professional Training:

Hospital for Joint Diseases: Orthopedic Institute - Fellow in Hand Surgery, Drs. Posner, Green, 1992 - 1993

Massachusetts General Hospital - Fellow in Sports Medicine/Shoulder, Drs. Boland Leffert, Zarins, 1991 - 1992

Lenox Hill Hospital - Intern, 1986 - 1987, General Surgery. Resident, 1987 - 1991, Orthopedic Surgery.

Current Status:

Board Certified in Orthopedic Surgery, 1995.

Member of the American Academy of Orthopedic Surgeons.

Attending Physician, Lenox Hill Hospital, NY, 1993 -

Visiting Scientist - Hospital for Special Surgery 2002 - 2004

ARTICLES

1. McMahon MS, Norregaard TV, Beyerl BD, Borges LF, Moskowitz MA, 1985
Trigeminal afferents to cerebral arteries and forehead are not divergent axon collaterals, *Neuroscience Letters* 60:63-68
2. McMahon MS, Weiss JS, Reidel KG, Albert DM. 1985
Histopathological findings in necropsy eyes with intraocular lenses, *British Journal of Ophthalmology* 69:452-458
3. Reidel KG, Rudin SR, McMahon MS, Weiss JS, Albert DM, 1985
Histopathologic changes occurring in eyes with intraocular lens implantation: Autopsy eyes, enucleated eyes, and corneal buttons, *Acta Ophthalmologica* 63:11-33
4. Fulghum T, McMahon MS, Aretz T, Khaw BA, Fallon J, Haber E, Powell WJ, 1986
The time course of canine ischemic myocardial necrosis evaluated by Immunocytochemistry using cardiac myosin specific monoclonal antibodies in vivo, *Journal of Applied Cardiology* 1:385-401
5. Kirk AP, O'Hara BP, Mageed RAK, McMahon MS, McCarthy D, Menashi S, Archer HLF, Currey H. 1986
Pepsinogen - an immunoglobulin binding artifact in "collagen" preparations, *Clinical and Experimental Immunology* 65:671-678
6. McMahon MS, Scuderi GR, Glashow JC, Scharf SC, Meltzer LP, Scott WN, 1990
Scintigraphic determination of patellar viability after excision of infrapatellar fat Pad and/or lateral retinacular release in total knee arthroplasty. *Clinical Orthopedics and Related research* 260:10-16
7. McMahon MS, Craig SM, Posner MA, 1991
Tendon subluxation after deQuervain's release: Treatment by brachioradialis tendon flap, *Journal of Hand Surgery* 16A:30-32
8. Magnusson P, McMahon MS, Gleim G, Hershman E, Nicholas JA, 1991
Strength and Balance in functional ankle instability, *Medicine and Science in Sports and Exercise* 23:(4) Suppl
9. Zarins, McMahon, MS, Rowe CR
Diagnosis and treatment of traumatic anterior instability of the shoulder. *Clinical Orthopedics*, 1993 Jun; (291):75-84.
10. McMahon MS, Craig SM.
Interfascicular Reconstruction of the Peroneal Nerve After Knee Ligament Injury. *The Annals of Plastic Surgery*, June 1994 32(6):642-4

BRIEF ARTICLES

1. Cless J, Henkind P, Albert DM, Gragoudas ES, Reidel KG, Weiss JS, McMahon MS, Abramson D. 1985
Uveal melanoma presenting after cataract extraction with intraocular lens implantation. *Ophthalmology* 1985 Jun, 92(6):827-30
2. McMahon MS, Weiss JS, Reidel KG, Albert DM, 1985
Clinically unsuspected phacoanaphylaxis after extracapsular cataract extraction, *British Journal of Ophthalmology* 1969,836-840
3. McMahon MS, Posner MA.
Triggering of the Thumb due to Stenosing Tenosynovitis of the Extensor Pollicis Longus. A case report. *The Journal Of Hand Surgery. Volume 19A:623-625, 1994*
4. Posner MA, McMahon MS.
Congenital Radial Subluxation of the Extensor Tendons Over the Metacarpophalangeal Joints. A case report. *The Journal Of Hand Surgery. Volume 19A:659-661, 1994*

CHAPTERS

1. McMahon MS, Scott WN, 1991
Intraarticular iliotibial muscle tendon unit transfer for anterior cruciate insufficiency. In *Ligament and Extensor Mechanism Injuries of the Knee: Diagnosis and Treatment*, by WN Scott, Mosby Yearbook, St. Louis, pp 253-266
2. Scott WN, McMahon MS, Craig SM, 1992
Revision total knee arthroplasty, *Knee Surgery – Current Practice*, by Aichroth PM, Connon WD, Patel DV, Raven Press, New York. pp 704-709
3. McMahon MS, Zarins B.
Multidirectional Instability of the Shoulder: Clinical Recognition, Surgical Techniques and Rehabilitation. *Rehabilitation Of The Athletic Shoulder*, By Wilk KE and Andrews JR, Churchill Livingstone, Inc., New York 1994
4. McMahon MS, Boland AL.
Collateral Ligament Injuries. *Surgery Of The Knee*, By Silaski J, Churchill Livingstone, Inc., New York 1994
5. Scott WN, McMahon MS, Insall JN, 1995
The Knee, *Postgraduate Textbook of Orthopedics* by Harris NH, Birch R, 2nd Ed, Basil Blackwell Ltd., London, pp 864-900

PRESENTATIONS

1. McMahon MS, Scuderi GR, Glasgow JL, Scharf SC, Meltzer LP, Scott WN, 1990
Scintigraphic determination of patellar viability after total knee arthroplasty,
Presented at the Fifth Open Scientific Meeting of the Knee Society, New
Orleans, LA, February 11, 1990
2. Magnusson P, McMahon MS, Gleim G, Hershman E, Nicholas JA, 1991
Strength and balance in functional ankle instability, Presented at the American
College of Sports Medicine Annual Meeting, Orlando, FL, May 30, 1991
3. McMahon MS, Craig SM.
Interfascicular Reconstruction of the Peroneal Nerve After Knee Ligament
Injury. Presented at the Eastern Plastic Surgery Society, Pittsburgh, PA; April,
1993.
4. Tindell N, McMahon MS, Posner MA.
Submuscular Transposition of the Ulnar Nerve at the Elbow: A Review of 100
Cases. Presented at the AOA Residents Conference, Atlanta, Georgia, March
1994
5. Tindell N, McMahon MS, Posner MA.
Submuscular Transposition of the Ulnar Nerve at the Elbow: A Review Of 100
Cases. Presented at the American Society for Surgery of the Hand, Cincinnati,
Ohio, October 1994

AFFIDAVIT OF SERVICE

STATE OF NEW YORK,
COUNTY OF NEW YORK ss.:

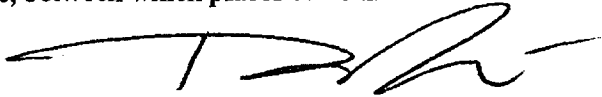
DOROTA U. KUZNIAR-ZGLINSKA, being duly sworn, deposes and says:

That deponent is not a party to this action, is over the age of 18 years and resides in Queens County in the State of New York.

That on May 27, 2008, deponent served the within **PLAINTIFF'S EXPERT EXCHANGE** upon:

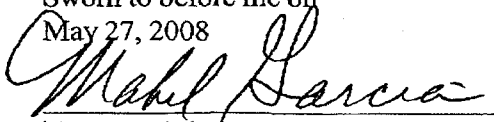
Law Offices of Harvey & Vandamme
Attorneys for Defendant
THOMAS P. WENDEL
90 Broad Street
Suite 2202
New York, NY 10004
(646) 428-2650
File NO.: 2007-100069

by depositing a true copy of the same securely enclosed in a postpaid wrapper in a Post Office Box regularly maintained by the United States Government at Madison Avenue and East 30th Street, New York, New York directed to the above mentioned attorneys at their respective address, that being the address within the State designated by them for that purpose upon the preceding papers in this action or the place where they kept an office, between which places there then was and now is regular communication by mail.



DOROTA U. KUZNIAR-ZGLINSKA

Sworn to before me on
May 27, 2008


Notary Public

MABEL C. GARCIA
COMMISSIONER OF DEEDS
CITY OF NEW YORK
NO. 1-3097
COMMISSION EXPIRES MARCH 1, 2009

Index No. 07 Civ. 4091/(NRB)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ABOUBACAR JALLOH,

Plaintiff,

-against-

THOMAS P. WENDEL,

Defendant.

PLAINTIFF'S EXPERT EXCHANGE

Budin, Reisman, Kupferberg & Bernstein, LLP

Attorneys for Plaintiff(s)

112 Madison Avenue

New York, New York 10016

212-696-5500

EXHIBIT “D”

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ABOUBACAR JALLOH.

Plaintiff,

-against-

THOMAS P. WENDEL,

Defendant.

PHYSICIAN'S
AFFIRMATION

Index No.: 07 Civ. 4091/(NRB)

I, DINA NELSON, M.D., affirm the following under the penalties of perjury.

1. I am a physician duly licensed to practice medicine in the State of New York.
2. My offices are located at Med Care Health & Rehabilitation Services, P.C., 334 Grand Concourse, Bronx, NY 10451.
3. ABOUBACAR JALLOH sustained personal injuries when he was involved in a motor vehicle accident on August 6, 2006. He received physical therapy treatments at my facility from August 10, 2006 through December 7, 2006. Physical therapy treatments consisted of electrical stimulation, massages, and the application of hot and cold packs, all to the lower back and neck.
4. On initial physical examination on August 10, 2006, patient presented with complaints of neck pain, and mild to low back pain, and frontal headaches. The patient was 42 years old and has no history of prior injuries.
5. Examination of the cervical spine revealed severe limitation in all planes with diffuse muscle spasm in the upper trapezius muscles, levator-scapulae, and SCM and tenderness in the cervical paraspinal.
6. Examination of the thoracolumbar spine revealed tenderness in the lower thoracic spinous processes up to the upper lumbar spine. Flexion was limited to 50 degrees (90 degrees is normal) and lateral flexion was limited to 10 degrees (25 degrees is normal).
7. I diagnosed: (1) cervical sprain/strain; (2) thoracolumbar sprain/strain; and (3) post traumatic headaches. I began the patient on a course of physical therapy treatments three times per week.

American Academy of Orthopedic Surgeons Standards

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8. On examination of September 21, 2006, patient had continued complaints of neck pain and low back pain with complaints of sharp pain radiating down both legs. At that time, he had not returned to work as a taxi driver due to his neck and lower back pain.
9. Examination of the cervical spine revealed moderate restrictions in range of motion in all planes and bilateral trapezius and cervical paraspinal muscle spasm.
10. Examination of the lumbar spine revealed moderate restriction and flexion bilateral lumbar paravertebral spasm, and a positive straight leg raise bilaterally.
11. I reviewed x-ray films of the cervical spine which revealed straightening of lordosis. I reviewed an MRI of the cervical spine which revealed central disc herniations at C3-C4 and C5-C6 and bulging disc at C4-C5. I reviewed x-ray films of the lumbar spine which revealed mild degenerative changes at L2 and bulging disc at L4 through S1 and bilateral foraminal narrowing at L4-L5 and possible lumbosacral radiculopathy.
12. On November 2, 2006, the patient presented to me with complaints of cramping in his calf with severe sharp burning pain. ~~This could be evidence of intermittent claudication.~~ Examination of the cervical spine revealed a decrease in lateral rotation to 60 degrees bilaterally (80 degrees is normal), and lateral flexion to 20 degrees bilaterally (45 degrees is normal). There was also mild bilateral upper trapezius muscle spasm. There was also tenderness in the lower lumbar paravertebrals.
13. Based on a reasonable degree of medical certainty, as well as on the patient's history and clinical examinations, it is my opinion that a direct causal relationship exists between Mr. Jalloh's injuries as described above and the accident of August 6, 2006.
14. I, the undersigned, certify that the foregoing report is true to the best of my knowledge. I am a duly licensed physician in the State of New York and I hereby affirm under the penalties of perjury the contents of this report to be true.

Dated: New York, New York
May 20, 2008


DINA NELSON, M.D.

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ABOUBACAR JALLOH,

Plaintiff,

-against-

THOMAS P. WENDEL,

Defendant.
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**RADIOLOGIST'S
AFFIRMATION**

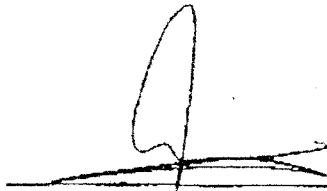
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I, ALAN GREENFIELD, M.D., affirm the following under the penalties of perjury:

1. I am a Radiologist, duly licensed by the State of New York to practice medicine.
2. I am affiliated with U.S. Diagnostic, whose offices are located at 1963 Grand Concourse, Suite #LL, Bronx, New York 10453.
3. I took or supervised the taking of the MRIs of the cervical spine and lumbar spine of ABOUBACAR JALLOH, the plaintiff in this action.
4. Upon review of the MRI of the cervical spine taken on August 16, 2006, my findings were as follows:
 - a) Straightening of cervical lordosis;
 - b) Central disc herniations at C3-C4 and C5-C6, deforming the dural sac, with the latter nearly in contact with the cervical cord; and
 - c) Bulging disc at C4-C5 with flattening of the dural sac.
5. Upon review of the MRI of the lumbar spine taken on September 6, 2006, my findings were as follows:
 - a) Bulging discs from L4 through S1, associated with bilateral foraminal narrowing at L4-L5.
6. If I am called upon to testify in Court, my testimony will reflect the statements listed above.

7. I, the undersigned, certify that the foregoing report is true to the best of my knowledge. I am a duly licensed Board Certified Radiologist in the State of New York and I hereby affirm under the penalties of perjury the contents of this report to be true.

Dated: New York, New York
May 20, 2008



ALAN GREENFIELD, M.D.